

Order

Michigan Supreme Court
Lansing, Michigan

September 27, 2006

Clifford W. Taylor,
Chief Justice

130911

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 130911
COA: 261993
Muskegon CC: 03-049495-FC
03-049062-FH

JAMES A. SANDERS,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the September 29, 2005 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, J., would remand to the Court of Appeals for reconsideration in light of *Halbert v Michigan*, 545 US 605; 125 S Ct 2582; 162 L Ed 2d 552 (2005).



s0920

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 27, 2006

Corbin R. Davis

Clerk